

REMARKS

Claims 1-9 are all the claims pending in the application. Claims 1, 2 and 9 are rejected. Claims 3-8 are objected to but would be allowable if placed in independent form. While Applicant believes all claims are allowable, claim 3 has been amended to place it in independent form in order to secure the allowability of claims 3-8.

Drawings

The drawings are objected to because numeral 110 has not been shown, though it is mentioned in the specification. The drawings are also objected to because a selector as claimed is not shown.

Reference 110 has been added to the drawings, as it was inadvertently omitted. This addition constitutes no new matter as it can be obviously deduced from the specification that corresponds to a coupling element cooperating with coupling element 1.

As to the selector, the specification states:

- p. 10 line 14 that “the plate 106 forms a selector”
- p. 11 line 9 “the selector has a first plate 206a”
- p. 11 line 21 “the selector has a second plate 206b”.

Therefore, Applicants consider that the selector is shown in the drawings.

Claim Rejections - 35 USC 102

Claim 1 is rejected as being anticipated by French publication 2819469. The Examiner relies on U.S. 2004/0089505 for a translation. This rejection is traversed for at least the following reasons.

The reference describes a brake module in which the pusher 8 can never be isolated from the resilient member 25. In normal operating conditions, brake backing forces do not overcome the resilient member threshold, so that the bearing 22 has its annular collar 23 maintained in abutment against the frame 9. But should the brake backing forces overcome the resilient member threshold (due to thermal dilatations for instance), then the bearing 22 would leave the

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frame 9 and the resilient member 25 would act on the pusher 8 so that the pushing force is equal to the resilient member force, regardless of any so-called selector action.

The pusher 8 is therefore always connected to the resilient member 25 in the cited reference.

In the invention, the pusher can be decoupled from the resilient member through selector 55. Such resilient member cannot act on the pusher, regardless of the level of the brake backing forces.

Claim Rejections - 35 USC 103

Claim 2 is rejected under 35 USC 103 (a) as being unpatentable over the French publication 2819469 in view of Fargier (4,809,824). This rejection is traversed for at least the following reasons.

Claim 2 is patentable for the reasons given for claim 1. Fargier does not remedy the deficiencies of the French '469 publication, as the Examiner merely cites the reference for purposes of a spiral or coil spring to apply a bias in brake applications.

Claim 9 Claim Rejections - 35 USC 102

Claim 9 is rejected under 35 USC 103(a) as being unpatentable over French publication 2819469. This rejection is traversed for at least the following reasons.

The claim is patentable for the reasons given with respect to claim 1. There is no teaching or suggestion in the prior art that would suggest a modification of the French '489 structure to attain the claimed invention.

Applicants respectfully submit that the invention defined in claims 1, 2 and 9 is patentably different from the prior art.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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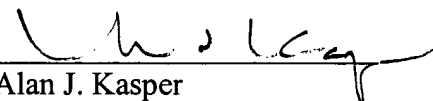
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AMENDMENTS TO THE DRAWINGS

Attachment: Replacement Sheet Fig. 3 and Fig. 4